

IN THE UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF TENNESSEE
NASHVILLE, TENNESSEE

WORD MUSIC, LLC., a Tennessee Limited
Liability company, DAYSPRING MUSIC,
LLC, a Tennessee Limited Liability Company,
WORDSPRING MUSIC, LLC., a Tennessee
Limited Liability company, UNICHAPPELL
MUSIC, INC., a Delaware corporation,
CHAPPELL & CO., INC., a Delaware
corporation, COTILLION MUSIC, INC., a
Delaware Corporation, RIGHTSONG
MUSIC, INC., a Delaware Corporation,
WALDEN MUSIC, INC., a New York
Corporation, WARNER/TAMERLANE
PUBLISHING CORP., a California
corporation, and WB MUSIC CORP., a
California corporation,

Plaintiff,

vs.-

PRIDDIS MUSIC, INC., a Nevada
corporation, RICHARD L. PRIDDIS,
individually, PROSOUND KARAOKE LTD.,
a United Kingdom corporation,
MEDIOSTREAM, INC., a California
corporation, d/b/a "K SUPERSTAR," D.J.
MILLER MUSIC DISTRIBUTORS, INC., a
Colorado corporation, d/b/a
"PROSING," and DALE S. MILLER,
Individually

Defendants.

Case No. 3:07-cv-502

JURY DEMAND

Judge Haynes

PLAINTIFFS' SUPPLEMENTAL
MEMORANDUM OF LAW IN
SUPPORT OF MOTION FOR
PRELIMINARY INJUNCTION

Plaintiffs, WORD MUSIC, LLC., *et al.*, ("Plaintiffs") moved on July 2, 2007 (Docket Entry 31) for a preliminary injunction asking this Court to enjoin the Defendants from manufacturing, releasing, distributing, advertising, selling or otherwise exploiting any products



utilizing the music copyrights owned or administered by Plaintiffs without first obtaining the necessary licenses.

Defendant MEDIOSTREAM, INC., d/b/a ("K SUPERSTAR"), filed an Answer to the Complaint on July 26, 2007 (Docket Entry 59-1). MEDIOSTREAM has not, however, responded to Plaintiffs' Motion for a Preliminary Injunction.

Pursuant to Local Rule 7.01, "[e]ach party opposing [a] motion shall serve and file a response, memorandum, affidavit and other responsive material not later than ten (10) days after service of the motion." That rule also provides that "[f]ailure to file a timely response shall indicate that there is no opposition to the motion."

MEDIOSTREAM has allowed 28 days to pass since the motion was filed without filing a response. If MEDIOSTREAM had a basis for opposing plaintiffs' request for a preliminary injunction, MEDIOSTREAM certainly would have filed a timely response or sought an extension. MEDIOSTREAM, however, has done neither.

For the foregoing reasons, Plaintiffs respectfully request that this Court immediately enter a preliminary injunction against MEDIOSTREAM enjoining MEDIOSTREAM from manufacturing, releasing, distributing, advertising, selling or otherwise exploiting any products utilizing the music copyrights owned or administered by Plaintiffs without first obtaining the necessary licenses.

Respectfully submitted,

s/Paul Harrison Stacey

Paul Harrison Stacey
Law Offices of Paul Harrison Stacey, P.C.*
Attorney for Plaintiffs
7225 N. Spring Gulch Road
P.O. Box 4157
Jackson, WY 83001
Ph: 307-733-7333
Fax: 307-733-7360
Wy. Atty. No. 5-2615

*Illinois Office:

202 W. Willow Avenue, Suite 103
Wheaton, Illinois 60187
Ph: 630-462-1949
Fax: 630-462-9293
Email: PStacey151@msn.co

s/Timothy L. Warnock

Timothy L. Warnock BPR#12844
Attorney for Plaintiffs,
Bowen, Riley, Warnock & Jacobson, PLC
1906 West End Avenue
Nashville, TN 37203
Ph.: 615-320-3700
Fax: 615-320-3737
Email: twarnock@bowenriley.com

Attorneys for Plaintiffs

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing was served upon the following by electronic mail via the Electronic Filing System this 31st day of July, 2007.

James C. Bradshaw, III
Michael D. Hornback
Wyatt, Tarrant & Combs
2525 West End Avenue, Suite 1500
Nashville, Tennessee 37203-1423
(615) 251-6683
jbradshaw@wyattfirm.com

Attorneys for Mediostream, Inc., d/b/a "K Superstar"

Jeffrey Todd Goodson
Law Office of John Cobb Rochford, PLLC
2200 Abbott Martin Road, Suite 201
Nashville, Tennessee 37215

Attorney for Richard L. Priddis, Priddis Music, Inc. and Prosound Karaoke LTD

J. Owen Borum
Timothy J. O'Neil
Caplan & Earnest, LLC
1800 Broadway, Suite 200
Boulder, CO 80302-5289

Attorneys for Defendants, D.J. Miller Music Distributors, Inc. d/b/a "Prosing" and Dale S. Miller

s/ Timothy L. Warnock